

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

State of Ohio, ex rel.	)	Case No. 1:11-CV-02474
David P. Joyce, Prosecuting Attorney of	)	
Geauga County, Ohio,	)	Honorable James S. Gwin
	)	
Plaintiff,	)	Magistrate Judge White
	)	
v.	)	
	)	
MERSCORP, Inc., et al.,	)	
	)	
Defendants.	)	

**ANSWER OF DEFENDANT, CORINTHIAN MORTGAGE CORPORATION**

Now comes Defendant, Corinthian Mortgage Corporation (“Corinthian”), and in answer to Plaintiff’s complaint makes the following admissions, denials and averments:

**FIRST DEFENSE**

1. Corinthian denies the allegations contained in paragraph 1 of Plaintiff’s complaint.
2. Paragraph 2 of Plaintiff’s complaint contains only legal assertions to which a response is not required. Further answering, to the extent Paragraph 2 contains any allegation interpreted to be factual, it is denied by Corinthian.
3. Corinthian denies the allegations contained in paragraph 3 of Plaintiff’s complaint.
4. Corinthian denies the allegations contained in paragraph 4 of Plaintiff’s complaint.
5. Corinthian denies the allegations contained in paragraph 5 of Plaintiff’s complaint.

6. Corinthian denies the allegations contained in paragraph 6 of Plaintiff's complaint.

7. Corinthian denies the allegations contained in paragraph 7 of Plaintiff's complaint.

8. Corinthian denies the allegations contained in paragraph 8 of Plaintiff's complaint.

9. In answer to paragraph 9 of Plaintiff's complaint, Corinthian admits that this Court has subject matter and personal jurisdiction over Corinthian. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 9 of Plaintiff's complaint and therefore denies the same.

10. In answer to paragraph 10 of Plaintiff's complaint, Corinthian admits that it has sufficient minimum contacts with Ohio such that jurisdiction before this Court is proper. Further answering, Corinthian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 10 of Plaintiff's complaint and therefore denies the same.

11. In answer to paragraph 11 of Plaintiff's complaint, Corinthian admits that Geauga County is located in the State of Ohio. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 11 of Plaintiff's complaint and therefore denies the same.

12. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 12 of Plaintiff's complaint and therefore denies the same.

13. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 13 of Plaintiff's complaint and therefore denies the same.

14. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 14 of Plaintiff's complaint and therefore denies the same.

15. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 15 of Plaintiff's complaint and therefore denies the same.

16. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 16 of Plaintiff's complaint and therefore denies the same.

17. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 17 of Plaintiff's complaint and therefore denies the same.

18. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 18 of Plaintiff's complaint and therefore denies the same.

19. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 19 of Plaintiff's complaint and therefore denies the same.

20. In answer to paragraph 20 of Plaintiff's complaint, Corinthian admits that it is a Mississippi corporation and that it is a wholly-owned subsidiary of SOUTHBank, a Federal Savings Bank. Corinthian denies all other allegations contained therein.

21. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 21 of Plaintiff's complaint and therefore denies the same.

22. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 22 of Plaintiff's complaint and therefore denies the same.

23. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 23 of Plaintiff's complaint and therefore denies the same.

24. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 24 of Plaintiff's complaint and therefore denies the same.

25. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 25 of Plaintiff's complaint and therefore denies the same.

26. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 26 of Plaintiff's complaint and therefore denies the same.

27. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 27 of Plaintiff's complaint and therefore denies the same.

28. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 28 of Plaintiff's complaint and therefore denies the same.

29. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 29 of Plaintiff's complaint and therefore denies the same.

30. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 30 of Plaintiff's complaint and therefore denies the same.

31. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 31 of Plaintiff's complaint and therefore denies the same.

32. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 32 of Plaintiff's complaint and therefore denies the same.

33. Corinthian denies the allegations contained in paragraph 33 of Plaintiff's complaint.

34. Paragraph 34 of Plaintiff's complaint contains only legal assertions to which a response is not required. Further answering, to the extent Paragraph 34 contains any allegation interpreted to be factual, it is denied by Corinthian.

35. Paragraph 35 of Plaintiff's complaint contains only legal assertions to which a response is not required. Further answering, to the extent Paragraph 35 contains any allegation interpreted to be factual, it is denied by Corinthian.

36. Corinthian admits the allegations contained in paragraph 36 of Plaintiff's complaint.

37. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 37 of Plaintiff's complaint and therefore denies the same.

38. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 38 of Plaintiff's complaint and therefore denies the same.

39. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 39 of Plaintiff's complaint and therefore denies the same.

40. Corinthian denies the allegations contained in paragraph 40 of Plaintiff's complaint.

41. Corinthian denies the allegations contained in paragraph 41 of Plaintiff's complaint.

42. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 42 of Plaintiff's complaint and therefore denies the same.

43. Corinthian denies the allegations contained in paragraph 43 of Plaintiff's complaint.

44. Corinthian denies the allegations contained in paragraph 44 of Plaintiff's complaint.

45. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 45 of Plaintiff's complaint and therefore denies the same.

46. In answer to Paragraph 46 of Plaintiff's Complaint Corinthian admits mortgage securitization has gained in popularity. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations contained in paragraph 467 of Plaintiff's complaint and therefore denies the same.

47. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 47 of Plaintiff's complaint and therefore denies the same.

48. Paragraph 48 of Plaintiff's complaint contains only legal assertions to which a response is not required. Further answering, to the extent Paragraph 48 contains any allegation interpreted to be factual, it is denied by Corinthian.

49. Corinthian denies the allegations contained in paragraph 49 of Plaintiff's complaint.

50. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 50 of Plaintiff's complaint and therefore denies the same.

51. Corinthian denies the allegations contained in paragraph 51 of Plaintiff's complaint.

52. In answer to paragraph 52 of Plaintiff's complaint, Corinthian admits that Plaintiff purports to bring this class action on behalf of itself and all other Ohio counties. Further answering, Corinthian denies all other allegations contained therein and specifically denies Plaintiff's right to do so.

53. Corinthian denies the allegations contained in paragraph 53 of Plaintiff's complaint.

54. Corinthian denies the allegations contained in paragraph 54 of Plaintiff's complaint.

55. Corinthian denies the allegations contained in paragraph 55 of Plaintiff's complaint.

56. Corinthian denies the allegations contained in paragraph 56 of Plaintiff's complaint.

57. Corinthian denies the allegations contained in paragraph 57 of Plaintiff's complaint.

58. Corinthian denies the allegations contained in paragraph 58 of Plaintiff's complaint.

59. Corinthian denies the allegations contained in paragraph 59 of Plaintiff's complaint.

60. In answer to paragraph 60 of Plaintiff's complaint, Corinthian incorporates the admissions, denials and averments contained in paragraphs 1 through 59 of its answer as if fully rewritten herein.



61. Corinthian is without knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 61 of Plaintiff's complaint and therefore denies the same.

62. Corinthian denies the allegations contained in paragraph 62 of Plaintiff's complaint.

63. Corinthian denies the allegations contained in paragraph 63 of Plaintiff's complaint.

64. Corinthian denies the allegations contained in paragraph 64 of Plaintiff's complaint.

65. In answer to paragraph 65 of Plaintiff's complaint, Corinthian incorporates the admissions, denials and averments contained in paragraphs 1 through 64 of its answer as if fully rewritten herein.

66. Corinthian denies the allegations contained in paragraph 66 of Plaintiff's complaint.

67. Corinthian denies the allegations contained in paragraph 67 of Plaintiff's complaint.

68. Corinthian denies the allegations contained in paragraph 68 of Plaintiff's complaint.

69. Corinthian denies the allegations contained in paragraph 69 of Plaintiff's complaint.

70. Corinthian denies each and every other allegation contained in Plaintiff's complaint not herein specifically admitted to be true.

**SECOND DEFENSE**

71. Plaintiff's complaint fails to state a claim upon which relief may be granted.

**THIRD DEFENSE**

72. Plaintiff's claims, in whole or in part, are barred by the applicable statute of limitations.

**FOURTH DEFENSE**

73. Plaintiff has failed to join necessary and indispensable parties as required by Fed. Civ. R. 19.

**FIFTH DEFENSE**

74. Plaintiff's claims against Corinthian are barred by insufficient process.

**SIXTH DEFENSE**

75. Plaintiff's claims against Corinthian are barred by insufficient service of process.

**SEVENTH DEFENSE**

76. Plaintiff and/or the putative class lack the requisite standing to assert their claims against Corinthian.

**EIGHTH DEFENSE**

77. Claims asserted by Plaintiff and/or the putative class are barred, in whole or in part, by the doctrine of laches.

WHEREFORE, having fully answered Plaintiff's complaint, defendant Corinthian demands that it be dismissed with costs assessed to Plaintiff.

Respectfully submitted,

**VORYS, SATER, SEYMOUR AND PEASE LLP**

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*Attorneys for Defendant, Corinthian Mortgage Corporation*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 12<sup>th</sup> day of December, 2011, a copy of the foregoing was filed electronically via the Court's CM/ECF system. Notice of this filing will be sent to all parties who have appeared by operation of the Court's CM/ECF system.

The undersigned also certifies that a copy of the foregoing was sent on this 12<sup>th</sup> day of December, 2011, via U.S. mail, postage prepaid, to the following:

Chase Home Mortgage Corporation  
c/o Statutory Agent,  
Chase Manhattan Mortgage Corporation  
2175 Terminal Tower  
Cleveland, OH 44113

Defendant

/s/ William D. Kloss, Jr.  
*One of the Attorneys for Defendant, Corinthian  
Mortgage Corporation*